

REMARKS

Claims 1-4 are currently pending in the present application, with Claim 3 being amended.

Reconsideration and reexamination of the claims are respectfully requested.

The Examiner rejected Claims 1 and 2 under 35 U.S.C. § 103(a) as being unpatentable over Basel (U.S. Patent No. 6,341,166) in view of Power et al. (U.S. Patent No. 6,839,441). This rejection is respectfully traversed with respect to the amended claims.

Again, as previously communicated, the present invention as claimed is directed to a drive apparatus for volume control. Specifically, the drive apparatus includes a first and second volume control device that are driven automatically and are controlled for a controller such that the two control devices cooperate to control the total gain of an audio signal. In particular, when a position control device that correspond to the first volume control is manipulated, the second volume control device is automatically driven so as to maintain the total gain of the audio signal prior to the manipulation of the position control device. Furthermore, in addition to being automatically driven, the control devices is also operated manually by personnel.

As the Examiner again acknowledged, Basel does not contain any disclosure of a drive apparatus having a first and a second volume control devices that are driven automatically and work in cooperation to maintain the total gain of an audio signal in two stages when one of the volume control devices is operated. And, again, the Examiner does not represent that Basel discloses any second volume control device of any kind.

Applicants again note that the Examiner correlated unit 240 in Basel with the “first volume control device” as recited in Claim 1 of the present application. However, Applicant again emphasize that unit 240 in Basel cannot be driven automatically or manually.

The Examiner further correlated between the controller as recited in Claim 1 and the power spectrum analyzer 210 in Basel. Again, the analyzer 210 in Basel cannot set the operation position or any volume control devices such that the total gain can be maintained during a two-stage volume control process.

Powers does not make up for the deficiencies of Basel even if combined. Powers discloses an input circuit 1 for adjusting the input gain and signal level. The signal level can also be adjusted by a fader 11. In particular, a knob 18 manipulates the input gain (first gain) while the fader 11 determines a signal level (second gain); the total gain for a given audio signal is determined by the total of the first and second gains. Again, other than the limited disclosures of a gain control and a fader, there is no explanation whatsoever of a two-stage volume control process for maintaining the total gain of a signal in response to the control of a first of two gain controls. In fact, Powers teaches a mixing console with a SELECT switch that, when operated, knob 18 and fader 11 are driven automatically to positions that correspond to newly activated channels. In this instance, the total gain is determined by the parameters of the newly activated channels, *not* as a result of maintaining a total gain as a result of operation of first of two volume controls.

Hence, even if combined, Basel and Powers do not contain any disclosure of a drive apparatus having a first and a second volume control devices that are driven automatically and work in cooperation to maintain the total gain of an audio signal in two stages when one of the volume control devices is operated.

In view of the above, Applicants respectfully submit that Claims 1 and 2 are not anticipated by, nor obvious in view of, Basel and Powers.

The Examiner indicated that Claims 3 and 4 are objected to as being dependent upon a rejected base claim. Applicants have amended Claim 3 to incorporate the limitations of base Claims 1 and 2, and submit that Claims 3 and 4 are hence in condition for allowance.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Docket No. 393032038400.

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Respectfully submitted,

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